

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF WIRELESSCO, L.P. FOR)	
ISSUANCE OF A CERTIFICATE OF PUBLIC)	
CONVENIENCE AND NECESSITY TO)	
CONSTRUCT A PERSONAL COMMUNICATION)	CASE NO. 96-227
SERVICES FACILITY IN THE LOUISVILLE)	
MAJOR TRADING AREA (COVERED BRIDGE)	
PCS FACILITY LV03XC076B2))	

O R D E R

The Commission has received the attached letters from Kent Kalmey and Charles W. Hebel, Jr. regarding the proposed personal communication services facility to be located at 11208 Covered Bridge Road, Prospect, Oldham County, Kentucky.

IT IS THEREFORE ORDERED that:

1. WirelessCo, L.P. ("WirelessCo") shall respond to Mr. Kalmey's and Mr. Hebel's concerns by certified letter, within 10 days from the date of this Order.
2. WirelessCo shall file a copy of the certified letter and dated receipt, within 7 days of the date of the receipt.

Done at Frankfort, Kentucky, this 28th day of June, 1996.

ATTEST:


Executive Director

PUBLIC SERVICE COMMISSION


For the Commission

RECEIVED

JUN 26 1996

PUBLIC SERVICE
COMMISSION

Mr. Don Mills
Director of Public Service Commission
P.O. Box 615
Frankfort, KY 40602

6/22/96

Dear Mr. Mills,

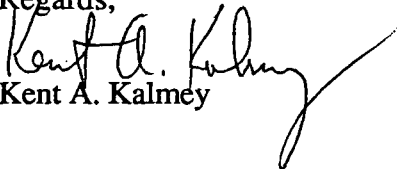
I am a neighboring property owner to Gordon T. McMurry (11208 Covered Bridge Rd Prospect, KY) on who's property there is a current proposal to erect a Sprint tower (Case # 96-227).

Myself, along with several other property owners are deeply concerned about the construction of this tower and the impact it will have on this historic and environmentally sensitive area. I am therefore writing this letter to serve as official notice of my concerns and objections to this project, and I hereby request a public hearing to discuss this matter before moving forward on construction.

Your immediate attention and response to this request would be appreciated. You can contact me at the following address:

Kent Kalmey
7511 Hwy 329
Crestwood, KY 40014
(502) 241-8689
(502) 228-7902

Regards,


Kent A. Kalmey

RECEIVED
JUN 27 1996
PUBLIC SERVICE
COMMISSION
FRANKFORT, KY
40602

HEBEL & HORNUNG, P.S.C.

ATTORNEYS AT LAW

6511 GLENRIDGE PARK PLACE, #1

LOUISVILLE, KENTUCKY 40222

Telephone: (502) 429-9790

Telecopier: (502) 429-4109

Charles W. Hebel, Jr.

Richard V. Hornung*

*Also admitted in Missouri

OF COUNSEL

Don E. Williams**

**Also admitted in Indiana

AFFILIATED ATTORNEY

Paul D. Neal

June 25, 1996

Mr. Don Mills

Director of Public Services

Public Service Commission of Kentucky

P.O. Box 615

Frankfort, Kentucky 40602

Re: *Case No. 96-227*

Dear Mr. Mills:

As an attorney and as Secretary/Treasurer of Charlynn, Inc., a Kentucky corporation, owner of property within a 500 foot radius of the proposed lattice tower, this letter is addressed to notice opposition to the construction of this tower.

Not only will the construction be aesthetically objectionable, but such construction would represent both a commercial intrusion and a commercial land use in a rural-residential area. I am also advised by the owner of the Shively property, adjacent to the property upon which the proposed tower would be constructed, that there exists no public road access to the projected site, nor are there any dedicated useable easements which would afford a corridor to run power/utility lines to the site, if necessary. Finally, the construction of the tower could represent an "attractive hazardous nuisance" by attracting persons onto the property and onto adjacent properties.

Executive Director's Office
Public Service Commission of Kentucky
Re: *Case No. 96-227*
June 25, 1996
Page Two of Two

For the foregoing reasons, as an adjacent property owner, I respectfully request:

- (i) That a Hearing be set in this matter;
- (ii) That the application for construction be denied; and
- (iii) That the proposed construction be referred to an appropriate, and commercially zoned, area.

Thank you for your prompt consideration of this matter.

Sincerely,

HEBEL & HORNUNG, P.S.C.

By: 

Charles W. Hebel, Jr.
Attorney at Law

Enclosures: [2]

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Gearon & Co., Inc.

Wireless Network Development

9000 Wessex Place - Suite 100

Louisville, Kentucky 40222

Phone: (502) 394-9900 - Fax: (502) 394-3571

May 30, 1996

Charylnn, Inc.

5806 Orion Road

Prospect, KY 40059

Re: Public Notice - Public Service Commission of Kentucky,
Case No. 96-227

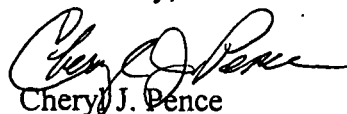
Dear Sir or Madam:

WirelessCo., L.P., doing business in Kentucky as Sprint Spectrum, has applied to the Public Service Commission (the "Commission") of Kentucky for a Certificate of Public Convenience and Necessity to construct and operate a new Public Communications Services ("PCS") facility to provide personal wireless telephone and data services. Over fifty percent of Sprint Spectrum's proposed new facilities will be located on existing structures (ie., rooftops and water tanks). Unfortunately, no such appropriate and available structure exists in this area. Therefore, the proposed new facility will include a lattice tower, with attached antennas extending upward for a total height of 265', and an equipment shelter to be located at 11208 Covered Bridge Road, Prospect, Kentucky. A map showing the location of the proposed new PCS facility is enclosed. This notice is being sent to you because you own property or reside within a 500' radius of the proposed lattice tower.

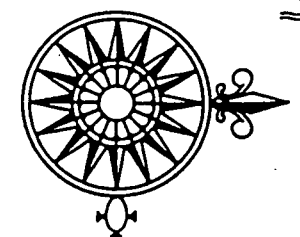
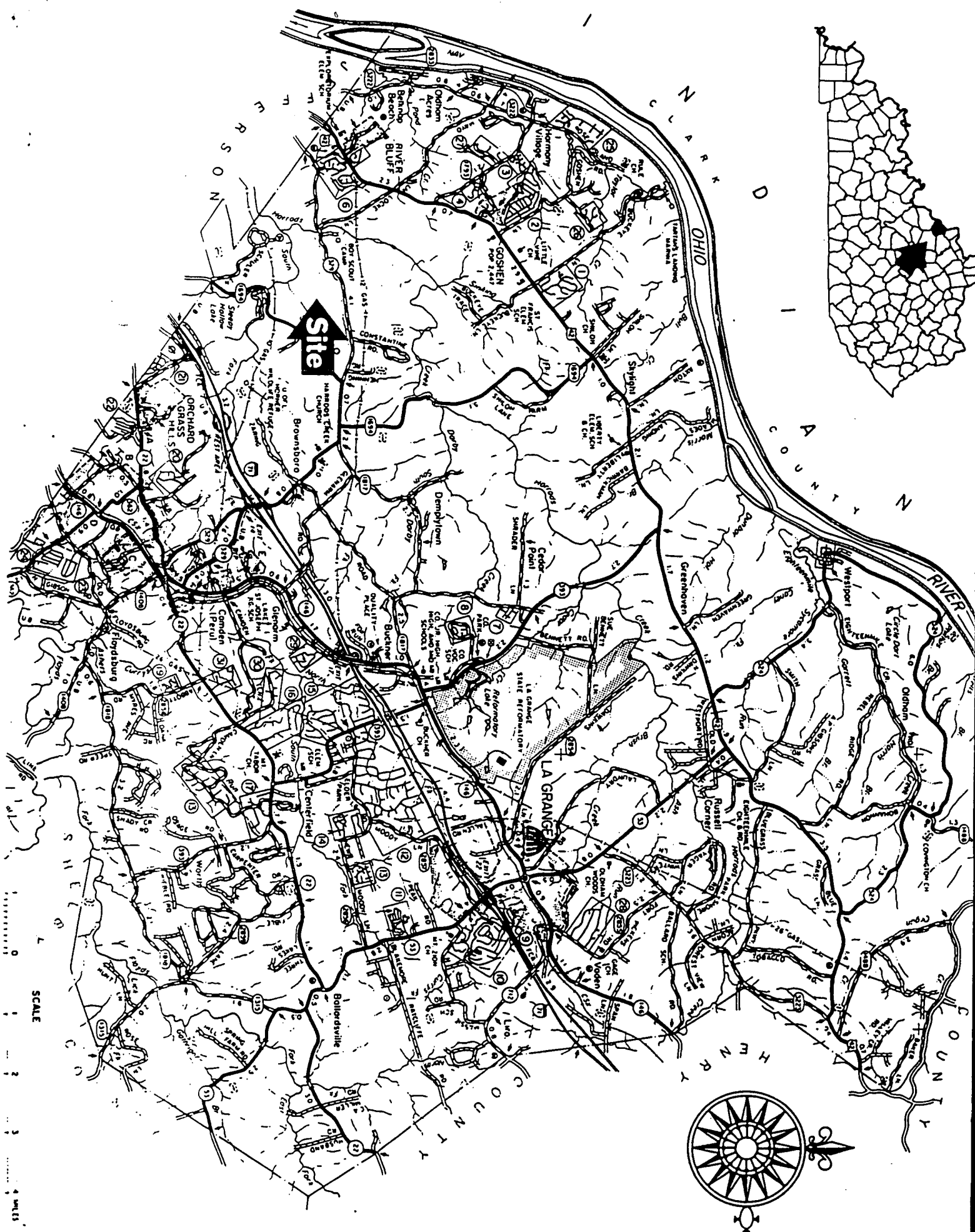
The Commission invites your comments regarding the proposed construction. You also have the right to intervene in this matter. Your initial communication to the Commission must be received by the Commission within 20 days of the date of this letter as shown above.

Your comments and request for intervention should be addressed to: Executive Director's Office, Public Service Commission of Kentucky, Post Office Box 615, Frankfort, KY 40602. Please refer to Case No. 96-227 in your correspondence.

Yours truly,



Cheryl J. Pence
J.D., M.C.P.



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